IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

-

WRIT PETITION NO : 23216 of 2002

Between:

Ch.Nagendram, w/o.Guruvaiah,

R/o.Jayantipuram, Jaggayyapet mandal,

Krishna district ..... PETITIONER

AND

1)The District Level Committee for Sand Auction,

rep. by its Chairman, Krishna district, Machilipatnam.

2)The District Panchayat Officer, Krishna dist., Machilipatnam

3)The District Collector, Krishna District, Machilipatnam

4)Katta Samba Siva Rao,

R/o.Jayantipuram, Jaggayyapet mandal,

Krishna district

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or order or direction declaring

the action of the respondents 1 to 3 in extending the expired lease for sand reach Jayanthipur, Ravirala village, Jaggayyapet mandal for second year without calling for fresh tenders/auction, as violative of 73rd constitutional amendment, spirit of Hon'ble High Court Orders dated 27.09.2002 in Writ Petition no.18359 of 2002 and also G.O.Ms.No.1 dated 1.1.2001 and consequently direct the respondents 1 to 3 to put to auction the area within the gram panchayat of Jayanthipuram which forms part of Krishna river only after setting aside the proceedings dated 7.11.2002 of the second respondent.

Counsel for the Petitioner: MR.K.S.MURTHY

Counsel for the Respondents 1 to 3: The Advocate General.

Counsel for the Respondent no.4: Mr.B.Adinarayana Rao

The Court made the following :

THE HON'BLE SRI DEVINDER GUPTA,

THE CHIEF JUSTICE

WRIT PETITION No.23216 OF 2002

O R D E R :

The learned counsel for the respondents says that the period of lease itself has come an end for which the grievance was made by the petitioner for cancelling the same. While leaving the question raised by the petitioner in this petition open to be decided in an appropriate petition subsequently, this Writ Petition is dismissed as having been rendered infructuous.

08.07.2004

tvr/drk

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Copy to:

1)The District Panchayat Officer, Krishna dist., Machilipatnam

2)The District Collector, Krishna District, Machilipatnam

3)Two CCs to the Advocate General, High Court Buildings, High Court of A.P., Hyderabad. (o.u.t.)

4)Two CD copies.